



**Order under Section 78(11)
Residential Tenancies Act, 2006**

File Number: LTB-L-001232-26-SA

In the matter of: 809, 75 FIDDLERS GREEN RD
LONDON ON N6H4S8

Between: CAPREIT Limited Partnership Landlord

And

Ndap Myamusa Cuthbert Tenant

CAPREIT Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Ndap Myamusa Cuthbert (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on June 11, 2025 with respect to application LTB-L-016516-25.

The Landlord's application was resolved by order LTB-L-001232-26, issued on January 12, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-001232-26.

This motion was heard by videoconference on February 5, 2026. The Landlord's representative Gabriela Quaresma, and the Tenant, assisted by Housing Stability Worker Ashely Atsriku, from St. Leonard's Community Services, attended the hearing.

The Landlord consents to the Tenant's motion to set aside. The parties agree the Tenant owes the Landlord \$14,802.48 in arrears and costs to the end of February 2026.

At the hearing the parties consented to the following order.

On consent it is ordered that:

1. The motion to set aside Order LTB-L-001232-26, issued on January 12, 2026, is granted.
2. Order LTB-L-001232-26, issued on January 12, 2026, is set aside and cannot be enforced.
3. Order LTB-L-016516-25 is cancelled and replaced with the following:
4. The Tenant shall pay to the Landlord \$14,802.48 plus rent as it becomes due as follows:
 - The Tenant shall pay to the Landlord \$1,839.87 on or before February 9, 2026

- The Tenant shall pay to the Landlord \$5,899.61 on or before February 13, 2026.
 - The Tenant shall pay to the Landlord the lawful rent plus \$500.00 on or before the 1st day of each consecutive month commencing March 2026 and continuing through March 2027.
 - The Tenant shall pay to the Landlord the lawful rent plus \$563.00 on or before April 1, 2027.
5. In the event the Tenant fails to make the above said payments in full and on time, the entire balance of the amount set out in this Order will become due and payable forthwith under this Order. The Landlord shall be entitled to apply to the Board, no later than 30 days after a breach of this Order, without notice to the Tenant, for an Order terminating the tenancy and evicting the Tenant and for any arrears that become due after the date of this order, pursuant to Section 78 of the Residential Tenancies Act, 2006.

February 9, 2026

Date Issued

Greg Joy

Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

